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PATENT
2870-0173P



IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Yoshihide HAYASHIZAKI Conf.: 3624
Appl. No.: 09/935,592 Group: 1637
Filed: August 24, 2001 Examiner: J. FREDMAN
For: METHOD OF PREPARING NORMALIZED AND/OR
SUBTRACTED CDNA

LARGE ENTITY TRANSMITTAL FORM

Assistant Commissioner for Patents
Washington, DC 20231

February 19, 2003
(Wed. after Fed. Holiday
& Fed. Govt. snow closure)

Sir:

Transmitted herewith is a Reply to Restriction/Election Requirement in the above-identified application.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ Petition for _____ () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- ☒ No fee is required.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

Appl. No. 09/935,592

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Andrew D. Meikle, #32,868

ADM/csm
2870-0173P

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Attachment(s)

(Rev. 09/19/02)

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2/26/03

PATENT
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Applicant: Yoshihide HAYASHIZAKI Conf.: 3624
Appl. No.: 09/935,592 Group: 1637
Filed: August 24, 2001 Examiner: J. Fredman
For: METHOD OF PREPARING NORMALIZED AND/OR
SUBTRACTED CDNA

REPLY TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

February 19, 2003
(Wed. after Fed. Holiday
& Fed. Govt. snow closure)

Sir:

In reply to the Restriction Requirement dated January 6, 2003,
the following remarks are respectfully submitted in connection with
the above-identified application.

REMARKS

The claims of the present application have been subjected to a
Restriction Requirement under 35 U.S.C. § 121 as follows:

Group I -- claims 1-86 directed to methods of
preparing normalized and/or subtracted cDNAs; and
Group II -- claims 87-88 directed to cDNA
obtainable by the methods of the claims of Group I.

The above-noted Restriction Requirement is respectfully
traversed. It is submitted that the method claims of Group I and

the product claims of Group II are sufficiently related such that search and examination of both of these categories of claims does not present an unreasonable burden on the Patent Examiner. Thus, it is requested that this Restriction Requirement be withdrawn.

Responsive to the Restriction Requirement, Applicant hereby elects the claims of Group I, i.e. claims 1-86, with traverse.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Andrew D. Meikle, #32,868

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(Rev. 01/02/02)